

Court of Appeals, State of Michigan

ORDER

Paul Anthony Carthew v Susan Harvey Carthew

Docket No. 289365

LC No. 2005-712255-DM

Deborah A. Servitto
Presiding Judge

E. Thomas Fitzgerald

Pat M. Donofrio
Judges

The Court orders that the motion for immediate consideration is GRANTED.

The motion to dismiss the appeal is DENIED.

The motion to strike is GRANTED pursuant to MCR 7.216(A)(7) and appellant's brief is STRICKEN because it raises issues outside the scope of this appeal. This appeal is limited to the portion of the order with respect to which there is an appeal of right, that being the postjudgment award of attorney fees. MCR 7.203(A)(1); MCR 7.202(6)(a)(iv). Plaintiff-appellant may file a conforming, amended appellant's brief within 28 days of the Clerk's certification of this order. The time for filing appellee's brief shall run in accordance with MCR 7.211(A)(2)(a)(ii) from service of the amended appellant's brief.

The motion for sanctions for vexatious proceedings is DENIED.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAY 22 2009

Date

Sandra Schultz Mengel
Chief Clerk